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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49587-2021

Date of Decision: November 26, 2021

Kalu Khan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Ms.Gurvir Kaur Gill, Advocate for the petitioner.

.....

RAJESH BHARDWAJ, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No.24, dated 30.03.2012, under Sections 366/382/452/506/427/148/149 IPC, Section 25 of the Arms Act, 1959, registered at Police Station Sadar Abohar, District Ferozepur, now Fazilka.

It has been contended that the petitioner was declared proclaimed person vide order dated 21.03.2017 and the non-bailable warrants were issued on 19.05.2016. Learned counsel submits that the petitioner approached the learned Additional Sessions Judge, Fazilka for grant of anticipatory bail and though the same was declined, however, the petitioner was given opportunity to surrender before the trial court within a week and move an application for regular bail, which was directed to be decided within a week thereafter. She submits that due to the ongoing

pandemic at that time, the petitioner could not appear within the prescribed time.

Though no case for anticipatory bail is made out in the facts and circumstances, however, this petition is disposed of with liberty to the petitioner to surrender before the trial Court within ten days from today and moves an application for grant of regular bail. In case he does so, the trial Court is requested to decide the same in accordance with law preferably within a week from the date of filing of such application.

November 26, 2021
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(RAJESH BHARDWAJ)
JUDGE

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |